

ORIGINAL

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

Montez Salamasina Tuia: Ottley – Detainee
87604-022 Federal Bureau of Prisons
C/o The Federal Detention Center, Custodian
353 Elliott Street, P.O. Box 30080
Honolulu, Oahu, Hawaii nei 96820

MAR 01 2006

at 11 o'clock and 35 min. AM
SUE BEITIA, CLERK

Appearing Specially

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA)	CASE NO. CR 00-00126 MLR
)	
Plaintiff,)	
)	
vs.)	VERIFIED DEMAND FOR
)	OFFENDER TRANSFER ORDER PER
)	§§ 4018 - 4115 OF TITLE 18 U.S.C.;
MONTEZ SALAMASINA OTTLEY©)	EXHIBIT "A",
)	PROOF OF SERVICE
Defendant.)	
)	

NOTICE

To: Warden John Rathman
C/o Honolulu Federal Detention Center
351 Elliott Street, P.O. Box 30080
Honolulu, Oahu, Hawaii nei 96820

I, Montez ("Me, My, Myself, Mine, and/or I"), am the above-entitled Plaintiff's ("Plaintiff") involuntary substitute for the above-entitled Defendant© ("Offender"). Therefore, I HEREBY DEMAND a certified copy of WARDEN JOHN RATHMAN'S ("Rathman") warrant of commitment allegedly filed against Me, along with Rathman's order to have either Me or the Offender transferred into the custody of the United States Marshal ("Marshal") and out from under the custodianship of the Honolulu Federal Detention Center ("FDC"). The alleged transfer was to take place on Saturday the 25th day of February 2006.

SCANNED

I HEREBY VERIFY THE FOLLOWING:

1. I have personal first hand knowledge of the statements as contained in this Verification and make this Verification to the best of My knowledge and belief;
2. I have reason to believe that someone is attempting to arbitrarily transfer Me to a foreign jurisdiction in place of Offender, which action would appear to be in direct violation of § 4108 *et seq.* of title 18 U.S.C., as Plaintiff shall first conduct its transfer proceeding, including its appointment of counsel to be present on behalf of Offender, before its transfer can be realized;
3. I have not been informed of an appointment of counsel, nor provided with any information suggesting that the requisite proceeding had been performed, which would necessarily evidence whether I had consented, or not consented, to My being transferred from the FDC into the custody of the Marshal who shall upon receipt of Me deliver Me into the hands of a foreign jurisdiction;
4. I have reason to believe that on Friday February 24, 2006 My Agent personally attempted to alert Warden John Rathman ("Rathman") at the FDC that someone in government is attempting to irregularly have Me transferred, as is declared in My letter of notice ("Exhibit "A") addressed to Rathman ("Notice"), but Agent was denied access to Me or Rathman by FDC's legal counsel Amy Standaford ("Counsel") who offered Agent fictitious information regarding the origination of Offender transfer orders and thereby refused to accept Notice for Rathman;
5. I have reason to believe that Agent also attempted to alert Marshal, but found that its office was vacant after five o'clock p.m.;
6. Attached hereto as Exhibit "A" are true and correct copies of My Notices to Rathman and Marshal dated February 24, 2006;
7. I have reason to believe that although My irregular transfer had been mysteriously aborted I am now being held in the shoe i.e. lock down without cause;

I verify that the foregoing is true and correct to the best of My knowledge, information, and belief, which is not meant to mislead.

Executed on this 27th day of February 2006, Honolulu, Oahu, Hawaii nei.

By:


For Montez Ottley

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA)	CASE NO. CR 00-00126 MLR
)	
)	
Plaintiff,)	
)	
vs.)	PROOF OF NOTIFICATION
)	
MONTEZ SALAMASINA OTTLEY©)	
)	
Defendant.)	
_____)	

PROOF OF NOTIFICATION

I HEREBY CERTIFY that a true and correct copy of the foregoing "*Verified Demand for Offender Transfer Order...*" to which this proof of Notification is attached will be duly provided upon the following listed below by hand, or by depositing said copies in the United States Mail First Class, postage prepaid, and addressed as follows:

Edward H. Kubo, Jr. 2499
United States Attorney
District of Hawaii

and
Larry L. Butrick 3910
Assistant U.S. Attorney
Room 6-100, PJKK Federal Building
300 Ala Moana Boulevard
Honolulu, Hawaii 96850

U.S. Marshal Mark Hanohano
C/O U.S. Marshals Service
Prince Kuhio Federal Building
Honolulu, Hawaii 96850

U.S. COURT OF APPEALS, 9TH CIRCUIT
C/O OFFICE OF THE CLERK
95 SEVENTH STREET
SAN FRANCISCO, CA 94103-1526

DATED: Honolulu, Oahu, Hawaii nei, February 27, 2006

By:



For Montez Ottley